

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

ALLSTATE VEHICLE AND PROPERTY
INSURANCE COMPANY and;
ALLSTATE INDEMNITY COMPANY,

Plaintiffs,

v.

Case No. 5:22-cv-00026-J

JAKE S. ALDRIDGE PC, an Oklahoma
professional corporation;
JACOB SHELTON ALDRIDGE, an
individual; and
S. ALEX YAFFE, an individual,

Defendants.

AGREED ORDER AND JUDGMENT

Before the Court is Plaintiffs' Motion for Entry of Agreed Order and Judgment. The Court, upon consideration of the motion and premises herein, finds that Plaintiffs' Motion for Entry of Agreed Order and Judgment is, **GRANTED**, and finds as follows:

1. On June 2, 2021, Foshee Yaffe LLC, d/b/a Foshee & Yaffe, an Oklahoma limited liability company ("FY"), filed a Petition in the District Court of Cleveland County, State of Oklahoma, case number CJ-2021-535.

2. Among other things, the Petition alleged Defendant Jacob Shelton Aldridge ("Aldridge") misappropriated and retained settlement funds properly payable to FY and actively concealed the existence of the funds from FY when he had a duty to disclose payment of the same. The Petition alleged that Aldridge had acted as a partner of Defendant

Jake S. Aldridge PC.

3. On July 9, 2021, in response to the Petition, Defendants Aldridge PC and Aldridge filed an Answer, Counterclaim, and Third-Party Petition and refer to themselves collectively as “Aldridge.” In the Third-Party Petition, Aldridge asserted claims against S. Alex Yaffe (“Yaffe”) and others for fraud, tortious interference with a contract, trespass, and conversion.

4. Plaintiff Allstate Vehicle & Property Insurance Company (“AV&P”) issued House & Home Policy no. 815419576 to Yaffe and his spouse as Named Insureds. Allstate Indemnity Company (“AIC”) issued Personal Umbrella Policy no. 815419704 to Yaffe and his spouse as the Named Insureds (collectively “Policies”). Yaffe has claimed rights under these Policies for claims asserted by Aldridge against him in the Third-Party Petition.

5. Plaintiffs filed the present Complaint for Declaratory Judgment on January 7, 2022.

6. Plaintiffs seek an Order and Judgment of this Court that all claims against Yaffe in the Aldridge Defendants’ Third-Party Petition come within the business exclusions to the Policies and that therefore, there is no coverage under the Policies.

7. Based on Defendant Aldridge’s Answer and Amended Answer herein, the parties agree there is no coverage for the claims against Yaffe in the underlying state court action.

8. Defendants Jake S. Aldridge PC and Jacob Shelton Aldridge have answered

herein and disclaim any interest in the Policies and request they be dismissed.

IT IS SO ORDERED, ADJUDGED AND DECREED that all claims by the Aldridge Defendants against Yaffe in the Third-Party Petition come within the business exclusions of the Policies.

IT IS SO ORDERED, ADJUDGED AND DECREED that there is no indemnity or defense owed to Yaffe in the District Court of Cleveland County, State of Oklahoma, case number CJ-2021-535.

IT IS SO ORDERED, ADJUDGED AND DECREED that Defendants Jake S. Aldridge PC and Jacob Shelton Aldridge disclaim any interest in the policies and are hereby dismissed with prejudice.

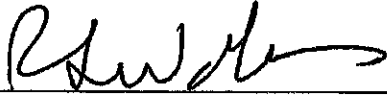
IT IS SO ORDERED, ADJUDGED AND DECREED that the parties have agreed to bear their own attorneys' fees and costs incurred in this matter.

Pursuant to this Order, the Court **DECLARES** that Allstate Vehicle and Property Insurance Company and Allstate Indemnity Company are discharged and released from any obligation under the Policies for matters related to case number CJ-2021-535 in the District Court of Cleveland County, State of Oklahoma.

IT IS SO ORDERED THIS ____ DAY OF MARCH 2021.

BERNARD M. JONES
UNITED STATES DISTRICT JUDGE

Approved as to Form:



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